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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,022	12/26/2001	Minoru Itou	SIC-01-008	7830

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DELAND LAW OFFICE  
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EXAMINER

WILLIAMS, THOMAS J

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/033,022

Applicant(s)

ITOU, MINORU

Examiner

Thomas J. Williams

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-10,12,16-20,26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-10,12,26 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3683

### DETAILED ACTION

1. Acknowledgment is made in the receipt of amendment C filed October 3, 2003.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 3, 2003 has been entered.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 5, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 4,823,915 to Nagano in view of US 6,152,266 to Takizawa.

Re-claims 1, 26 and 27, Nagano teaches a connecting apparatus for a control cable having an inner wire 1 that slides within an outer casing 2, comprising: a cable sleeve 4 receives the outer casing of the control cable; a guide 3 has first end portion 31 and a second end portion, the guide supports the cable sleeve, the cable sleeve moves toward the first end portion and the second end portion; the first end portion 31 of the guide includes a mounting portion having an external threaded surface; a biasing device (spring 5) biases the cable sleeve toward the second end portion of the guide, the spring is disposed between the guide and the cable sleeve.

Art Unit: 3683

However, Nagano fails to teach the spring surrounding a portion of the outer casing of the control cable, wherein the spring is disposed in an annular space formed by a spring sleeve on the cable sleeve.

Takizawa teaches a connecting apparatus for a control cable having a cable sleeve accommodating an outer casing of the cable. A spring, for biasing the cable sleeve, surrounds the outer casing of the cable. The spring sits in an annular space formed by a spring sleeve of the cable sleeve. It would have been obvious to one of ordinary skill in the art to have replaced the cable sleeve of Nagano with the cable sleeve taught by Takizawa, thus reducing the overall length of the connecting apparatus.

The cable sleeves of Nagano and Takizawa are considered functional equivalents. The sleeve of Takizawa would enable one to locate the spring around the cable sleeve and thus reduce the overall required length of the guide. This will reduce materials and manufacturing costs.

Re-claim 4, the second end portion receives the outer casing of the control cable.

Re-claim 5, the cable sleeve is disposed in the guide, a lid 6 at the second end portion retains the cable sleeve within the guide.

5. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano in view of Takizawa and in view of US 4,066,147 to Toyomoto.

Re-claims 7 and 8, Nagano fails to teach the cable connecting apparatus mounted to a brake lever bracket comprising a pivoted brake lever. Toyomoto teaches a cable connecting apparatus mounted to a brake lever bracket comprising a pivoted brake lever. It would have been obvious to one of ordinary skill in the art to have utilized the connecting apparatus of

Art Unit: 3683

Nagano at a location of a brake lever bracket comprising a pivoted brake lever as taught by Toyomoto, thus providing an adjustable cable connecting apparatus nearer the operator.

Re-claims 9 and 10, the second end portion of the guide receives the control cable; the cable sleeve is disposed in the guide, a lid 6 retains the cable sleeve within the guide.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano in view of Takizawa and in view of US 4,693,137 to Deligny.

Nagano fails to teach a bellows at the second end portion of the guide. Deligny teaches a connection apparatus for a control cable with a bellows that seals the device preventing the ingress of foreign matter, see column 3 lines 35-40. It would have been obvious to one of ordinary skill in the art to have provided the second end portion of the guide and connecting apparatus of Nagano with a bellows as taught by Deligny, thus preventing entry of unwanted material into the connecting apparatus.

***Allowable Subject Matter***

7. Claims 16-20 are allowed.

***Conclusion***

8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Thomas Williams whose telephone number is (703) 305-1346. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder, can be reached at (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 10/033,022

Page 5

Art Unit: 3683

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

TJW

November 19, 2003

**THOMAS WILLIAMS**  
**PATENT EXAMINER**

*Thomas F. Williams*

AU 3683

Nov. 19. 2003